

REMARKS

Applicants' thank the Examiner for the thorough consideration given the present application. Claims 1-27 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

Claim Rejections - Under 35 U.S.C. § 112

Claim 7 stands rejected under 25 U.S.C. §112, second paragraph, as being indefinite for including the "such as" phrase. By way of the present Amendment, claim 7 has been amended to remove this phrase. New claims 26 and 27 have been added which include the more specific ranges of time. Accordingly, this rejection is now believed to be over.

Rejection - Under 35 U.S.C. § 102

Claims 1-9, 12, 13, 18 and 23 stand rejected under 35 U.S.C. § 102 as anticipated by Rowney et al. (U.S. Patent No. 5,987,140). This rejection is respectfully traversed.

To better understand the present invention the following summary of the operation of the system is provided. When the first legal entity, such as a customer wishes to make a purchase through the internet from legal entity B such as a merchant, the customer first goes to legal entity C, such as a credit card company to obtain the unique transitory

insignia issued by the credit card company. This is a code which is valid only for a time long enough for the transaction to be completed, and is only good for the current transaction. The customer then transmits the unique transitory insignia to the merchant. The merchant then validates the unique transitory insignia through the credit card company so that the transaction can be completed. After completion, the insignia is made invalid either by the completion of the transaction or by the completion of a set time.

The Rowney et al. reference differs from this procedure. The customer and merchant go through a procedure shown in Figure 2 to provide a secure communication. After this occurs, the merchant goes to the credit card company to request authorization for payment. The Examiner has stated that the customer associates the transaction with a verification insignia to verify the approval to the merchant. The Examiner refers to column 11, lines 30-37. This section indicates that the customer transmits a certificate to verify his identity. However, this is different from the present invention where verification is provided for the transaction rather than the identity of the customer. The Examiner further states that the reference shows that the verification insignia is a unique transitory insignia provided by the credit card company to the customer. The Examiner refers to column 15, lines 56-64. However, this section refers to information provided by the credit card company to the

merchant directly and not an insignia provided to the customer. Further, this is not a unique transitory insignia but rather something on the order of a public key certificate. The Examiner further states that the reference shows that the insignia is conditioned on providing a password to the credit card company. The Examiner refers to column 12, lines 26-42. However, this section of the reference refers to communications between the merchant and the credit card company not the customer and the credit card company. Accordingly, this does not refer to the new transitory insignia. The Examiner further states that the insignia is invalidated after the validation and refers to column 10, lines 31-58. Applicants have reviewed this section and do not see any indication of an invalidation. Further, there is no indication that such an invalidation would occur immediately. For the above reasons, Applicants submit that the Examiner has not properly applied the teachings of Rowney et al. Further, Applicants submit that these references does not teach the present claimed invention.

Claim 1 has now been amended to place the claim in standard method format. In particular, claim 1 now describes the unique transitory insignia as being valid for a single transaction and being valid for a time sufficient to complete a transaction. Applicants submit that the reference does not show a unique transitory insignia at all, and it is certainly completely clear that the reference does not describe an insignia

which is good for a single transaction and which is valid only for a length of time sufficient to complete the transaction. Further, as noted above, the reference does not show that this insignia is provided to the customer from the credit card company. Further, the claim requires that the insignia be provided after the customer provides a secret identification code to the credit card company. This is also not seen in the reference. The final step in claim 1 further indicates that the insignia is invalid immediately after the validation which is also not seen in the reference. For these reasons, Applicants submit that claim 1 is not seen in the Rowney et al. reference, nor would it be obvious thereover, since there is no teaching in the reference of the concept of such a short lived insignia. For these reasons, Applicants submit that claim 1 is allowable.

Claims 2-27 depend from claim 1 and as such are also considered to be allowable. In addition, a number of these claims provide other features not shown in the reference. Accordingly, these claims are considered to be additionally allowable. For example, claim 2 further describes the invalidating of the insignia. Claim 6, 7, 26 and 27 describe the invalidation of the insignia after a certain time. The other claims also show novel features.

Claim Rejection - Under 35 U.S.C. § 103

Claims 10, 24 and 25 stand rejected under 35 U.S.C. §103 as being obvious over Rowney in view of Puhl et al. (U.S. Patent No. 6,223,291). This rejection is respectfully traversed.

The Examiner cites the Puhl et al. reference to show the use of a wireless application protocol. Even if this reference does teach this feature, Applicants submit that this does not aid the Rowney reference in overcoming its deficiencies as noted above. Accordingly, Applicants submit that these claims remain allowable based on their dependency.

Claim 11 stands rejected under 35 U.S.C. §103 as being obvious over Rowney in view of Aziz (U.S. Patent No. 5,732,137, incorrectly identified as 6,223,291 by the Examiner). This rejection is respectfully traversed.

The Examiner cites the Aziz reference to show a secure communication channel on the internet protected by a secret identification code. Applicants submit that even if this reference does teach this feature, it still does not aid the Rowney et al. reference to overcome its deficiencies as noted above. Accordingly, Applicants submit that this claim is also allowable.

Claim 22 stands rejected under 35 U.S.C. § 103 as being obvious over Rowney et al. in view of Haber et al. (U.S. Patent No. 5,136,646). This rejection is respectfully traversed.

The Examiner cites Haber et al. to show a unique identification number selected from a pool of numbers. Applicants submit that even if this reference shows such a feature, that this claim remains allowable based on its dependency from claim 1.

Claims 14, 20 and 21 stand rejected under 35 U.S.C. §103 as being obvious over Rowney et al. in view of Franklin et al. (U.S. Patent No. 5,883,810). This rejection is respectfully traversed.

The Examiner cites Franklin et al. to teach a unique number selected in accordance with a unique issue identification number. Even if this reference does show this feature, it does not aid the Rowney et al. reference to overcome its deficiencies as noted above. Accordingly, these claims are also allowable.

Claims 15-17 and 19 stand rejected under 35 U.S.C. §103 as being obvious over Rowney et al. in view of Collin (U.S. Patent No. 4,992,646, incorrectly identified by the Examiner as 6,223,291). This rejection is respectfully traversed.

The Examiner cites Collin et al. to show an identification number with two identification components. Even if this reference does show this feature, Applicants submit that it does not aid Rowney et al. to overcome its deficiencies as noted above. Accordingly, Applicants submit that these claims are likewise allowable.

CONCLUSION

In view of the above remarks, it is believed that the claims currently distinguish over the patents provided by the Examiner either alone or in combination. In view of this amendment, reconsideration of the rejections and allowance of all the claims are respectfully requested.

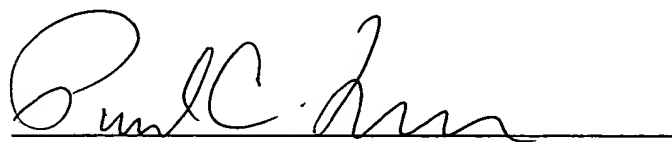
If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Robert F. Gnuse, Registration No. 27,295, at (703) 205-8000, in the Washington, D.C. area.


Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By: 
Joe McKinney Muncy
for Reg. No.: 32,334 #43,368

 KM/RFG:cms

P.O. Box 747
Falls Church, Virginia 22040-0747
Telephone: (703)205-8000